

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 4:02cr00369-001
)	
Plaintiff,)	JUDGE JAMES S. GWIN
)	
vs.)	ORDER
)	
ENRICO RHODES,)	
)	
Defendant.)	

This matter was originally heard on June 13, 2011, upon the request of the United States Pretrial and Probation Office for a finding that defendant violated the conditions of his supervised release. The hearing was recessed until June 20, 2011, to permit counsel for plaintiff and defendant to gather additional information as to the time defendant has served in both state and federal custody which would impact the incarceration period for the instant violations. Defendant was present on both June 13 and 20, 2011, and represented by Attorney Carlos Warner.

A Report and Recommendation was issued on May 24, 2011, by United States Magistrate Judge George J. Limbert, based upon the admissions of defendant to the violations in the report, recommending that this Court find defendant had violated the conditions of his supervised release. No objection was filed by either plaintiff or defendant. Based upon no objection having been made to the Report and Recommendation, the Court found that defendant violated the terms of his supervised release as follows:

- 1) failure to report change in residence 10 days prior to relocating;
- 2) failure to report as directed;
- 3) failure to comply with drug/alcohol aftercare;
- 4) failure to obtain/maintain legitimate full-time employment;
- 5) failure to submit monthly supervision reports.

The Court, prior to imposing sentence, reviewed with counsel the calculation of time served in custody by the defendant which would be credited towards the sentence imposed in this case. Counsel for plaintiff noted that the Bureau of Prisons had advised him that defendant would be credited for 689 days towards any sentence imposed in the instant matter as well as 94 days of good time credit.

Based on these days of credit, the defendant is sentenced to a term of time served and the Court imposes no additional time. Defendant shall serve an additional 1 year of supervised release with the same conditions as previously ordered and shall immediately report to the Probation Office.

Dated: June 21, 2011

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE